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In re Application of
LUO et al
U.S. Application No.: 10/540,725
PCT No.: PCT/US03/040529
Int. Filing Date: 19 December 2003
Priority Date: 31 December 2002
Docket No.: 930037-2008.A.0.14.US
For: SHAPED MONOFILAMENTS WITH
GROOVES AND THE FABRICS MADE
THEREOF

DECISION

This decision is in response to applicants' "Request for Correction to Filing Receipt" filed on 13 September 2007 which is treated under 37 CFR 1.181 and hereby DISMISSED without prejudice.

Applicants claim that the filing date listed on the filing receipt and Notification of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.495 (Form PCT/DO/EO/903) is incorrect. The correct filing date should be 17 May 2006 as a declaration was filed in the above-captioned application on that date.

A review of the application verifies that a declaration was submitted on 17 May 2006. Applicants resubmitted the declaration on 16 March 2007 in response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (Form PCT/DO/EO/905) mailed 09 March 2007. However, neither declaration is in compliance with 37 CFR 1.497(a) and (b) for the following reasons.

First, both declarations contain noninitialled changes with regard to the address of co-inventor Shuiyuan Luo. Any changes made in ink must be initialled and dated by the applicants prior to execution of the declaration. The Office will not consider whether noninitialled and/or nondated alterations were made before or after signing of the oath or declaration but will require a new oath or declaration. See MPEP § 605.04(a).

Moreover, both declarations are composite declarations consisting of one Page 1 and two Page 2's. This is not acceptable. Applicants must submit a complete copy of each declaration signed by each inventor and each declaration must identify the correct inventive entity.

The Form PCT/DO/EO/903 and filing receipt mailed 20 August 2007 both contain erroneous information and are hereby VACATED.

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Applicants must provide a new declaration in compliance with 37 CFR 1.497(a) and (b) within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time may be obtained under 37 CFR 1.136(a). **Failure to submit a proper response will result in the abandonment of the above-captioned application.**

Any further correspondence with respect to this matter may be filed electronically via the USPTO EFS-Web, by facsimile to (571) 273-0459, or if mailed addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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